



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
LOUIS DREYFUS COMMODITIES SUISSE S.A.,

Plaintiff,

-against-

RAVENNAVI S.p.A.,

Defendants.  
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08-Civ-7918 (SHS)

ORDER

SIDNEY H. STEIN, U.S. District Judge.

On September 18, 2008, plaintiff Louis Dreyfus Commodities Suisse S.A. obtained an ex parte Order of Maritime Attachment pursuant to Fed. R. Civ. P. Supp. R. B and has since attached approximately \$2,341,271 of defendant's assets, all in the form of Electronic Fund Transfers ("EFTs") attached while passing through the Southern District of New York.

In light of the U.S. Court of Appeals for the Second Circuit's recent holding in Shipping Corp. of India v. Jaldhi Overseas Pte Ltd., -- F.3d --, 2009 U.S. App. LEXIS 22747, at \*36-37 (2d Cir. Oct. 16, 2009) that "EFTs being processed by an intermediary bank in New York are not subject to Rule B attachment" and in light of plaintiff's failure to identify any of defendant's other property likely to be present in the jurisdiction, IT IS HEREBY ORDERED that plaintiff is to show cause on or before November 13, 2009 why the Order of Attachment issued on September 18, 2008 should not be vacated, any funds thereby attached released, and this action dismissed.

Dated: New York, New York  
October 29, 2009

SO ORDERED:

A handwritten signature in black ink, appearing to read "Sidney H. Stein".

Sidney H. Stein, U.S.D.J.